

## **ZONING BOARD OF APPEALS**

Fiscal Year 2004

The Amherst Zoning Board of Appeals (ZBA) processed forty-eight (48) permit applications during FY 04. All of the applications were for Special Permits. Forty-three (43) of the Special Permit requests were granted with conditions, two (2) were denied and three (3) applications were withdrawn without prejudice. No appeals were filed during FY 04.

Five (5) of the FY 04 Special Permit applications were requests to construct or increase the number of dwelling units on properties. These permits resulted in a total of seven (7) new dwelling units, and the removal of seven (7) single-occupancy rooms. There was a single request to renew and modify a permit for an existing, previously permitted second (duplex) dwelling unit.

In addition, the ZBA approved five (5) new flag lots and renewed the permit for one (1) previously permitted flag lot.

As in the past, several restaurants filed requests for Special Permits. Nine (9) were granted, with conditions:

- Amherst Crepes – To open a crepe restaurant on North Pleasant Street.
- Daisy's – Under new management, to operate a restaurant serving beer and wine and to expand its hours of operation and add non-amplified live entertainment.
- Amherst Brewing Company – To renovate and expand The Upstairs at Amherst Brewing Company and to increase occupancy.
- Hari's Bistro – To add service of beer and wine and to expand hours of operation.
- H<sub>2</sub>O Bar-Restaurant – To operate a restaurant and bar serving beer and wine, with entertainment and dancing.
- Rao's Coffee Roasting – To expand an existing coffee shop into the adjacent space.
- Thai Corner – To add the service of beer and wine.

One restaurant's Special Permit was denied:

- Pruddy's – To operate a Class II restaurant or bar.

Other permits of general interest included:

- Greenleaves Retirement Community – To construct a 10-car parking garage and to modify other existing permits to allow an increase in the number of garden apartments and a decrease in the number of assisted-living and nursing units.

- Lane Quarry – To construct a new equipment storage garage.
- Louis Greenbaum – To renovate a garage on Grove Street to construct a recording studio.
- DB Mart – To operate the West Street store 24 hours a day.
- David – To operate a retail store, selling flower arrangements, antiques and garden furnishings.
- Boyden & Perron – To construct a new building on South Whitney Street to house equipment previously stored outdoors on-site.
- Newman Center – To construct an elevator on the exterior of the building, resulting in an increase in lot coverage on a non-conforming site.
- Pete Sylvan and Haim Shahr – To operate a store and a café at the site of the former Cushman Store.
- Cingular Wireless – To install six wireless communication antennae on the existing smokestack at the Amherst College power plant, and to construct a building to house associated equipment.

For the first four months of the fiscal year, following Linda Faye’s resignation, Carolyn Holstein and Christine Brestrup shared the position of staff liaison for the Zoning Board of Appeals. For the remainder of the fiscal year, Christine Brestrup filled this position.

Marc Cohen and Zina Tillona were elected as Co-Chairs for the ZBA. Tom Simpson was elected as Clerk. Brenna Kucinski continued to serve as an alternate member and Ted Rising was appointed as a full member of the Board. Other alternate members who were appointed to serve in FY 04 were Barbara Ford and Joan Golowich.

Zoning Board of Appeals:

Co-Chairs  
Marc Cohen  
Zina Tillona

Members  
Ted Rising  
Tom Simpson

Alternate Members  
Barbara Ford  
Joan Golowich  
Brenna Kucinski